

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WEST SHORE HOME, LLC f/k/a
WEST SHORE WINDOW & DOOR,
INC.,

Plaintiff,

v.

MICHAEL BRETT GRAESER, and
P.J. FITZPATRICK, LLC,

Defendants.

Civil Action No. 1:22-cv-00499-CCC

JOINT MOTION TO STAY ALL PENDING DEADLINES

Plaintiff, West Shore Home, LLC f/k/a West Shore Window & Door, Inc. (“West Shore”) and Defendants, Michael Brett Graeser (“Graeser”) and P.J. Fitzpatrick, LLC (“P.J. Fitzpatrick”; P.J. Fitzpatrick with Graeser, “Defendants”) (Defendants collectively with West Shore, the “Parties”), by and through their respective undersigned counsel, hereby jointly move to stay all pending deadlines, and in support thereof, state as follows:

1. The Parties have reached an agreement in principle to settle the above captioned matter.
2. The Parties are in the process of preparing and finalizing documents related to the settlement.
3. On October 24, 2024, the Court entered an Order extending several

deadlines, including expert discovery, Plaintiff's Response to Defendants' Motion in Limine, and dispositive motions. (Doc. 77.)

4. The Court's October 24, 2024 Order (Doc. 77) established a deadline of January 30, 2025 for dispositive motions and briefs.

5. On January 14, 2025, Plaintiff filed a timely Brief in Opposition to Defendants' Motion in Limine. Defendants' deadline to file a reply brief is currently January 28, 2025, pursuant to L.R. 7.7.

6. The Parties intend to file a stipulation of dismissal once the settlement documents are finalized.

7. At this juncture, however, the Parties are not requesting a dismissal pursuant to Federal Rule of Civil Procedure 41(a).

8. No trial date has been established in this matter.

9. The Parties anticipate that the settlement will be finalized within the next thirty (30) days.

10. All Parties concur in the relief requested within this Joint Motion.

11. In light of the foregoing, the Parties respectfully request the Court stay all pending deadlines for thirty (30) days, as the Parties need additional time to formalize the settlement agreement and other documents related to the settlement.

12. This Motion is being submitted in good faith and not for the purpose of delaying litigation. No prejudice will result from the relief sought herein and no

rights of the Parties will be diminished as a result of such relief.

WHEREFORE, for the reasons set forth above, Plaintiff respectfully requests that the Court grant this Joint Motion to Stay All Pending Deadlines for thirty (30) days.

Respectfully submitted,

/s/ Thomas G. Collins

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*Counsel for West Shore Home, LLC
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Dated: January 24, 2025

Respectfully submitted,

/s/ Joseph C. Monahan

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the forgoing document was transmitted to the Court electronically for filing upon the following attorneys of record:

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By: /s/ Thomas G. Collins

Thomas G. Collins (I.D. #75896)

Dated: January 24, 2025